IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 2ND NOVEMBER 2006 / 11TH KARTHIKA 1928

Bail Appl..No. 6003 of 2006

CMP.13520/2006 of J.M.F.C.,KARUNAGAPPALLY
CRIME NO.180/2006 OF KARUNAGAPPALLY EXCISE RANGE

PETITIONER/ACCUSED

RAGHAVAN,
S/O.KUNJU PILLAI, MACHUMUTTATHUKIZHAKKATHIL,
THAZHAVA SOUTH MEKKUM MURI, THAZHAVA VILLAGE,
KARUNAGAPPALLY TALUK.

BY ADV. SRI.BIJU M.JOHN

RESPONDENTS: COMPLAINANT

STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR OF
KARUNAGAPPALLY, EXCISE RANGE OFFICE,
KARUNAGAPPALLY, THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 02/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6003/2006

DATED THIS THE 2ND DAY OF NOVEMBER, 2006

O R D E R

The petitioner is accused of the offence punishable under Section 8(1) & (2) of the Abkari Act, in C.R.No.180/2006 of Karunagappally Excise Range, as he was found in illegal possession of 25 litres of illicit arrack on 23.9.2006. The petitioner is in judicial custody from that day onwards. Hence this application.

2. The learned Public Prosecutor submits, when the application came up for consideration, that the petitioner is accused of another offence, under the Abkari Act. However, the learned counsel for the petitioner submits that the petitioner was acquitted, as per the order dated 19.11.2005 in Sessions Case No.1499/2002. A copy of the judgment had been produced by the learned counsel before this court, along with the application.

3. In the above facts situation, considering the stage of the investigation, I grant bail and release the

petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.25,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Karunagappally.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Tuesday, between 10.00 a.m and 11.00 a.m., for a period of two months, starting from 7.11.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs